

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

**\*E-FILED\***

**TIME TOTAL: 6 Hours 3 Minutes**

**CIVIL MINUTES - JURY TRIAL**

**Judge: Beth Labson Freeman**  
**Date: 2/28/2020**  
**Case No: 5:16-cv-01370-BLF**

**Courtroom Deputy: Tiffany Salinas-Harwell**  
**Court Reporter: Irene Rodriguez**  
**Interpreter: N/A**

**SUMOTEXT v. ZOOVE**

Attorney(s) for Plaintiff(s): David Kessleman, Julie Greathouse, Christine Dillard, Trevor Stockinger  
Attorney(s) for Defendant(s): David Bloch, Jie Li, Thomas FitzGibbon, Steven Berki, Michael Hogue

**PROCEEDINGS**

		9:00			Jury Seated/Call to Order	
		9:03			Cont. Direct Examination MILLER	
		9:09			Cross Examination MILLER	
	671	9:12	X	X	Exhibit #671	Dft
	842	9:14	X	X	Exhibit #842	Dft
	622	9:18	X	X	Exhibit #622	Dft
	566	9:22	X	X	Exhibit #566	Dft
	698	9:24	X	X	Exhibit #698	Dft
	699	9:29	X	X	Exhibit #699	Dft
		9:29			Side Bar Held	
	629	9:32	X	X	Exhibit #629	Dft
	610	9:38	X	X	Exhibit #610	Dft
	564	9:42	X	X	Exhibit #564	Dft
	594	9:46	X	X	Exhibit #594	Dft
		9:49			Side Bar Held	
	1011	9:50	X	X	Exhibit #1011	Dft
	1012	9:51	X	X	Exhibit #1012	Dft
	1010	9:53	X	X	Exhibit #1010	Dft

	887	9:55	X	X	Exhibit #887	Dft
	595	10:02	X	X	Exhibit #595	Dft
	837	10:13	X	X	Exhibit #837	Dft
		10:38			Recess	
		10:55			Jury Seated/Call to Order	
		10:57			Cross Examination MILLER (StarSteve)	
	627	11:12	X	X	Exhibit #627	Dft
		11:32			Re-Direct Examination MILLER	
		12:00			Lunch Recess	
		1:15			Jury Seated/Call to Order	
		1:16			Plaintiff Calls Dr. Alan Goedde	
		1:18			Direct Examination GOEDDE	
		1:54			Cross Examination GOEDDE	
		2:35			Cross Examination GOEDDE (StarSteve)	
		2:50			Re-Direct Examination GOEDDE	
		2:55			Recess	
		3:10			Jury Seated/Call to Order	
		3:11			Plaintiff Calls Wesley Hayden	
		3:12			Direct Examination HAYDEN	
3		3:18	X	Not Admitted	Exhibit #3	Plf
574		3:20	X	X	Exhibit #574	Plf
865		3:24	X	Not Admitted	Exhibit #865	Plf
518		3:27	X	X	Exhibit #518	Plf
526		3:32	X	X	Exhibit #526	Plf
537R		3:38	X	X	Exhibit #537R	Plf
		3:40			Side Bar Held	
		3:47			Cross Examination HAYDEN	
		4:01			Cross Examination HAYDEN (StarSteve)	

		4:02			Re-Direct Examination HAYDEN	
		4:07			Re-Cross Examination HAYDEN	
		4:08			Plaintiff Rests Case in Chief	
		4:08			Defense Moves for Rule 50(a) Motion	
		4:08			Defense Calls Greg Garvey	
		4:09			Direct Examination GARVEY	
	547	4:27	X	X	Exhibit #547	Dft
	870	4:34	X	X	Exhibit #870	Dft
	575	4:41	X	X	Exhibit #575	Dft
		4:45			Cross Examination GARVEY	
		4:55			Re-Direct Examination GARVEY	
		4:59			Jury Released for Evening	
		4:59			Discussion held outside the presence of the jury	
		5:00			Court Adjourns for Evening	

### **ORDER AFTER HEARING**

**Further Jury Trial Set for 3/02/2020 9:00 AM.**

**Exhibits Identified:**

**Pltf:** 3, 574, 865, 518, 526, 537R

**Deft:** 671, 842, 622, 566, 698, 699, 629, 610, 564, 594, 1011, 1012, 1010, 887, 595, 837, 527, 547, 870, 575

**Exhibits Admitted Into Evidence:**

**Pltf:** 574, 518, 526, 537R

**Deft:** 671, 842, 622, 566, 698, 699, 629, 610, 564, 594, 1011, 1012, 1010, 887, 595, 837, 527, 547, 870, 575

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Tiffany Salinas-Harwell  
Courtroom Deputy  
Original: **E-Filed**